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**WORKPLACE VIOLENCE AND  
HARASSMENT POLICY**

**ST. MICHAEL'S COLLEGE SCHOOL**

**TORONTO, ONTARIO**

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**Approved by the St. Michael's College School Board  
June 15, 2010**

# WORKPLACE VIOLENCE AND HARASSMENT POLICY FOR ST. MICHAEL'S COLLEGE SCHOOL

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## SECTION I DEFINITIONS, STATEMENT OF PRINCIPLES AND POLICY OBJECTIVES

### 1.01 Definitions

In this policy document ("Policy") the following terms shall have the following meanings:

**"Act"** shall mean the *Occupational Health and Safety Act*, R.S.O. 1990, c. O.1;

**"Complainant"** shall mean a person making a report of Workplace Violence or Workplace Harassment.

**"Worker"** shall mean a person who performs work or supplies services to St. Michael's College School for monetary compensation;

**"Workplace"** shall mean any land, premises, location or thing at, upon, in or near which a Worker works for St. Michael's College School.

**"Workplace Harassment"** shall mean a course of vexatious comment or conduct against a Worker in a Workplace that is known or ought reasonably to be known to be unwelcome;

**"Workplace Violence"** shall mean:

- (a) the exercise of physical force by a person against a Worker, in a Workplace, that causes or could cause physical injury to the Worker;
- (b) an attempt to exercise physical force against a Worker, in a Workplace, that could cause physical injury to the Worker;
- (c) a statement or behavior that it is reasonable for a Worker to interpret as a threat to exercise physical force against the Worker, in a Workplace, that could cause physical injury to the Worker.

### 1.02 Statement of Principles

- (a) St. Michael's College School ("St. Michael's") is committed to providing a work environment in which all individuals are treated with respect and dignity;
- (b) Workplace harassment will not be tolerated from any person in the Workplace;

- (c) St. Michael's is committed to the prevention of Workplace Violence and is ultimately responsible for Worker health and safety. St. Michael's will take whatever steps are reasonable to protect Workers from Workplace Violence from all sources;
- (d) Workplace Violence will not be tolerated from any person in the Workplace.

### **1.03 Application**

This policy applies to all Workers as defined in this policy, as well as to all other persons who are present at the Workplace from time to time including, but not limited to, visitors, students, parents and volunteers of St. Michael's. This Policy also applies to all St. Michael's activities at the Workplace or any other location. Every individual at St. Michael's is expected to uphold this policy to ensure a healthy, safe and respectful work environment.

### **1.04 Implementing, Monitoring and Review**

The implementation and monitoring of the Policy will be the responsibility of HR Manager. This Policy will be reviewed as often as necessary, with such review to occur at least annually.

## **SECTION II** **GENERAL POLICY GUIDELINES AND PRINCIPLES**

### **2.01 Prohibited Conduct**

- (a) No Worker or other individual to whom this Policy applies shall subject any other person to Workplace Violence or allow or create conditions that support Workplace Violence. A Worker who subjects another individual to Workplace Violence may be subject to disciplinary action commensurate to the incident, up to and including termination for cause from St. Michael's.
- (b) No Worker or other individual to whom this Policy applies shall subject any other person to Workplace Harassment or allow or create conditions that support Workplace Harassment. A Worker who subjects another individual to Workplace Harassment may be subject to disciplinary action commensurate to the incident, up to and including termination for cause from St. Michael's, in accordance with St. Michael's Harassment Policy.

### **2.02 Responsibilities**

- (a) Worker Responsibilities

For the purposes of this Policy, Workers have the following responsibilities:

- (i) to act respectfully towards other individuals while at the Workplace or participating in any St. Michael's related activities;
- (ii) attend training and education sessions when required;

- (iii) to report incidents of Workplace Violence or Workplace Harassment in accordance with this Policy;
- (iv) to follow the procedures set out in St. Michael's Harassment Policy and Workplace Violence prevention program; and
- (v) to cooperate with any efforts to investigate and resolve matters arising under this policy.

(b) St. Michael's Responsibilities

For the purposes of this policy St. Michael's has the following additional responsibilities:

- (i) to conduct an assessment to identify potential risk factors for Workplace Violence;
- (ii) to take all reasonable precautions to minimize the risk of Workplace Violence;
- (iii) to promote a non-violent Workplace;
- (iv) to establish a program for preventing, reporting, investigating, documenting and dealing with incidents of Workplace Violence and Workplace Harassment; and
- (v) to provide Workers with appropriate information and instruction regarding the contents of the Policy and program with respect to Workplace Violence.

### **2.03 Domestic Violence**

If St. Michael's becomes aware, or ought reasonably to be aware, that Domestic Violence that would likely expose a Worker to physical injury may occur in the Workplace, St. Michael's shall take every precaution reasonable in the circumstances for the protection of the Worker.

### **2.05 Duty to Warn**

Pursuant to its duty under the Act, St. Michael's shall provide a Worker with information, including personal information, related to a risk of Workplace Violence from a person with a history of violent behavior if the Worker can be expected to encounter that person in the course of his or her work and the risk of Workplace Violence is likely to expose the Worker to physical injury. In such circumstances, St. Michael's shall not disclose more personal information than is reasonably necessary to protect the Worker from physical injury.

### **2.06 Right to Refuse Work**

In accordance with the Act, a Worker has the right to refuse unsafe work where Workplace Violence is likely to endanger him or her. Upon refusing to work or do particular work, the Worker shall promptly report the circumstances of the refusal to St. Michael's who shall forthwith investigate the report. While the work refusal is being investigated, the worker is to remain in a safe place that is as near as possible to his or her work station, making him or herself available for the purposes of the investigation.

**SECTION III**  
**RESPONDING TO WORKPLACE VIOLENCE AND HARASSMENT**

**3.01 Reporting acts or threats of Workplace Violence and Harassment**

- (a) Workers must report all incidents of Workplace Violence and report any concerns about situations that could become violent. St. Michael's has established specific reporting procedures that Workers must follow; see St. Michael's Workplace Violence Program. These procedures will be made available to all Workers. Incidents of Workplace Harassment should be reported in accordance with St. Michael's Harassment Policy.
- (b) Workplace Violence Incident Report Forms to be completed by the Complainant are available from the HR Manager and are attached to this Policy as Schedule "A".
- (c) St. Michael's will ensure that no Worker is penalized or subjected to any prejudicial treatment as a result of making a report of Workplace Violence or Workplace Harassment. Disciplinary action will be taken against any Worker who makes any reprisal against a person who reports Workplace Violence.
- (d) A Worker who is the victim of Workplace Violence, or believes they have been threatened with violence, or witnesses an act or threat of Workplace Violence toward any individual shall take the following steps:
  - (i) If an emergency exists and the situation is one of immediate danger, the Member shall contact the local emergency services by dialing 9-1-1, and may take whatever emergency steps are available and appropriate to protect him or herself from immediate harm, such as leaving the area;
  - (ii) In any event, the Worker shall report the incident as soon as possible in accordance with the established procedures.
- (e) Workers who have reason to believe that they or others may be subject to Workplace Violence sometime in the future at the Workplace or as a direct result of their employment with St. Michael's shall immediately inform St. Michael's so appropriate action may be taken. St. Michael's shall take all necessary steps to prevent the potential Workplace Violence including, but not limited to, increasing security measures or contacting local law enforcement authorities.

**3.02 Responding to Reports of Workplace Violence and Workplace Harassment**

St. Michael's expressly reserves the right to take all steps it deems necessary in order to ensure the safety and well-being of the Workers and the public. Such steps may include, but are not limited to the following:

- (a) banning an individual accused of Workplace Violence or Workplace Harassment (the "Accused") from accessing the property, facilities and/or functions of St. Michael's; and/or

- (b) suspension of employment and/or volunteer duties of the Accused for a limited or indefinite time period;
- (c) immediate termination for cause of the Accused;
- (d) immediate reporting of the incident to the police.

**3.03 Investigation**

- (a) St. Michael's will investigate all reports of Workplace Violence and Workplace Harassment in a timely and fair manner.



